

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CONSTELLATION NEWENERGY, INC.,	:	
	:	
Plaintiff,	:	Civil Action No. 02-CV-2733 (HB)
	:	
v.	:	
	:	
POWERWEB TECHNOLOGIES, INC.,	:	
A-VALEY ENGINEERS, INC. AND	:	
LOTHAR E.S. BUDIKE, JR.,	:	
	:	
Defendants.	:	

**PLAINTIFF CONSTELLATION NEWENERGY, INC.'S  
MOTION TO COMPEL PRODUCTION OF DOCUMENTS**

Plaintiff, Constellation NewEnergy, Inc. (“NewEnergy”), moves pursuant to Rule 37(a) of the Federal Rules of Civil Procedure and Rule 26.1(g) of the Local Rules for the Eastern District of Pennsylvania for an order compelling defendant, Powerweb Technologies, Inc. (“Powerweb”) and its expert, Constantinos Gus Pappas, CPA, to produce financial statements, tax returns and other documents created by or in Pappas' possession and responsive to two sets of document requests served on Powerweb and a subpoena served on Pappas. For the reasons set forth in the accompanying memorandum, which is incorporated herein by reference, NewEnergy seeks an Order from this Court in the form attached hereto.

For WOLF, BLOCK, SCHORR and SOLIS-COHEN LLP

s/MW836

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Dated: May 19, 2004

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